

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

TARANEH L. KHONSARI,

Plaintiff,

v.

SECRETARY OF LABOR, HILDA
SOLIS,

Defendant.

Case No. 11cv1221 BTM(CAB)

**ORDER DENYING MOTION FOR
PRELIMINARY INJUNCTION;
SETTING HEARING AND BRIEFING
SCHEDULE ON MOTION FOR
EXEMPTION**

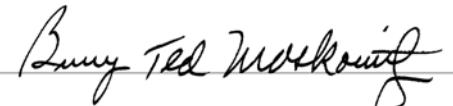
On June 3, 2011, Plaintiff commenced this action by filing a motion for an exemption from the statutory bar to union employment set forth in 29 U.S.C. § 504(a). On June 21, 2011, the Court received a motion for preliminary injunction from Plaintiff. Upon review of the motion, it is apparent that Plaintiff seeks the ultimate relief of exemption from the statutory bar, not injunctive relief. The case upon which Plaintiff relies, Claudio v. United States Dept. of Labor, 137 F. Supp. 2d 405 (S.D.N.Y. Apr. 5, 2001), is distinguishable. In that case, the plaintiff was already working for the union, and the union sought to preliminarily enjoin enforcement of the bar to allow plaintiff to continue working for the union until the Court reached a final decision. Here, Plaintiff does not already work for the union, but, rather, wishes to be considered for employment by the union. Because injunctive relief is not the proper form of relief here, the Court **DENIES** Plaintiff's motion for preliminary injunction.

The Court sets a hearing on Plaintiff's motion for an exemption for **August 2, 2011 at 3:30 p.m.** The Secretary of Labor and any other official copied on this Order may file a response to Plaintiff's motion on or before **July 18, 2011**. Plaintiff may file a reply on or

1 before **July 27, 2011.**

2 **IT IS SO ORDERED.**

3 DATED: June 28, 2011

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6 Honorable Barry Ted Moskowitz
United States District Judge

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9 Certified copies to be sent to:

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